

REMARKS

Upon entry of the present Amendment, several sections of the specification will be amended, two corrected drawings will be submitted and several claims will have been amended. The amendments to the claims are being made merely in order to clarify the recitations thereof and to enhance the description of Applicant's invention. The changes do not narrow the claims, nor are the changes being made in response to any rejection by the Examiner. Accordingly, the changes to the claims should not give rise to any prosecution history estoppel. In addition, claims 7-12 are being submitted for consideration to afford Applicant the scope of protection to which he is entitled.

Initially, Applicant wishes to thank the Examiner for the detailed examination of the present application set forth in the outstanding Official Action. In particular, Applicant wishes to respectfully thank the Examiner for acknowledging his Claim for Foreign Priority under 35 U.S.C. § 119 and for confirming receipt of the certified copies of the foreign priority documents.

Applicant further notes the indication on the attachment section of the PTOL-326 Form that an Information Disclosure Statement and PTO-1449 Form was attached. However, while Applicant filed an Information Disclosure Statement on March 8, 2001, since only pending applications were cited therein, a PTO-1449 Form was not attached thereto. Applicant assumes that the Examiner has considered the application files of the two co-pending applications cited therein and would respectfully request that the

Examiner explicitly indicate such consideration in the next Official Action of the present application.

Turning to the outstanding Official Action, the Examiner objected to Fig. 1 because of a noted informality. By the present Amendment, Applicant is attaching a revised drawing sheet of Fig. 1 with the noted informality corrected therein. Applicant is also correcting an informality noted in Fig. 7. Accordingly, the Examiner is respectfully requested to confirm the acceptance of the revised Figs. 1 and 7 in the present application. These changes do not introduce any prohibited new matter into the specification of the present application but rather eliminate obvious informalities therefrom.

In the outstanding Official Action,, the Examiner objected to the specification because of a number of noted informalities. By the present Response, Applicant has amended the specification in the noted areas to eliminate the informalities set forth by the Examiner. In addition, Applicant has further amended the specification to eliminate an additional informality noted to exist therein. Accordingly, the Examiner is respectfully requested to withdraw the objection to the specification of the present application. Each of these changes has been made to eliminate informalities in language and do not introduce prohibited new matter into the specification of the present application.

In the outstanding Official Action, the Examiner rejected claims 1-3, 5 and 6 under 35 U.S.C. § 102(b) as being anticipated by KANNO et al. (U.S. Patent No. 5,583,566). Applicant respectfully traverses the above rejection.

Applicant's invention is directed to an electronic endoscope system including an endoscope having a solid state image sensor at a distal end thereof. The solid state image sensor generates image pixel signals and an image signal processing unit produces a video signal based on the image pixel signals. A monitor is provided for reproducing and displaying an endoscope image in association with the video signal output from the image signal processing unit. The electronic endoscope system of the present invention further includes a scene changing system that changes a scene displayed on the monitor between an endoscope image display scene and a patient data list display scene. A storage system stores patient data that comprises a patient data list which is displayed on the monitor when the scene on the monitor is changed from the endoscope image display scene to the patient data list display scene by the scene changing system. Further, a selection system is provided that selects individual patient data from the patient data list displayed on a monitor and a display control system is provided that displays the selected individual patient data together with the endoscope image on the monitor when the scene on the monitor is changed from the patient data list display scene to the endoscope image display scene by the scene changing system.

It is respectfully submitted that the combination of features recited in Applicant's claim 1 is not disclosed or taught by the KANNO et al. reference cited by the Examiner. In the outstanding rejection, the Examiner asserted that Fig. 30(A) discloses a patient data list which is displayed on the monitor when the scene on a monitor is changed from the

endoscope image display to the patient data list display. It is respectfully submitted that the Examiner is incorrect.

Fig. 30(A) of KANNO et al. is described therein as “an explanatory view of a patient data file” (column 6, line 29). Similarly with respect to Figs. 30B and 30C, these are not views of data that is displayed on the display monitor but rather of data as contained in the memory of the KANNO et al. device. Accordingly, and again contrary to the Examiner’s assertion, KANNO et al. cannot disclose a selection system that selects individual patient data from the patient data list displayed on the monitor because, in fact, KANNO et al. does not display a patient data list on the monitor.

The manner in which individual patient data is selected in KANNO et al. includes the use of “the patient ID” which enables the data for a patient to be displayed by specifying the patient ID number. In this regard, the Examiner’s attention is respectfully directed to column 22, lines 56-57 as well as to column 21, lines 23-24 and column 22, lines 63-67.

While KANNO et al., at Fig. 32, does disclose a selection system, the selections made therein are not as recited in Applicant’s claims. In this regard, the options set forth in Fig. 32 are delineated in the flowchart of Fig. 34. In this regard, at column 24, line 50, KANNO et al. discloses that in step P22 the patient data file is searched but such search is on the basis of the patient ID which, as noted above, is input via the keyboard.

At column 26, starting in the paragraph beginning on line 8, KANNO et al. discloses that if a patient ID is not input, the patient name and date of birth can be input

and an inspection of the patient records can be made based on such data. However, KANNO et al. does not disclose the patient data list display as recited in the combination of Applicant's claim 1.

Moreover, at column 25, starting at line 61, KANNO et al. discloses that when the operator inputs the patient ID from the keyboard 205, the processes in steps P18, 19, 22 and 23 will be performed and data related to the patient will be transmitted to the video processor apparatus to be displayed on the monitor 203. Accordingly, it is abundantly clear that the method of reviewing patient data in KANNO et al. is quite remote from that set forth in Applicant's claims. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejection and an indication of the allowability of all the claims pending in the present application in due course.

Applicant further wishes to make of record a telephone interview conducted between Applicant's undersigned representative and Examiner Czekaj on May 14, 2004. During the above-noted interview, the Examiner's supervisor, Mr. Kelly, was also in attendance. During the above-noted interview, Applicant's undersigned representative pointed out that Fig. 30 does not illustrate the scene displayed on the monitor when the patient data list display scene is selected but rather is a "map" of the data in the memory of the device. Other shortcomings of the reference were also discussed in a manner similar to that set forth above. At the conclusion of the interview, the SPE indicated that subject to a further review of the reference, the features recited by Applicant were

understood and that such features were clearly different than the disclosure of the KANNO et al. reference cited by the Examiner.

The Examiner and his supervisor are both respectfully thanked for their courtesy in scheduling and conducting the above-noted interview as well as for their exhibited open-mindedness and willingness to discuss this matter with Applicant in an objective and friendly fashion. In view of the above, Applicant has not amended the claims in any substantive sense to add limitations or to narrow them but has merely clarified the recitations thereof. In view of the above, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejection.

In the outstanding Official Action, the Examiner rejected claim 4 under 35 U.S.C. § 103 as unpatentable over KANNO et al. in view of OZAWA et al. (U.S. Patent No. 6,154,248). Applicant respectfully traverses the above rejection and submits that it is inappropriate. Because OZAWA et al. does not overcome (and is not asserted to overcome) the above-noted shortcomings and deficiencies of KANNO et al., it is respectfully submitted that the combination of KANNO et al. and OZAWA et al. cannot provide a disclosure adequate to render unpatentable any of the claims in the present application, and particularly claim 4 to which this combination is applied by the Examiner.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections together with an indication of the allowability of all the claims

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in the present application, in due course. Such action is respectfully requested and is now believed to be appropriate and proper.

Newly submitted claims 7-12 are believed to be clearly patentable over the references of record herein. A scene-changing system, a storage system, a selection system and a display-control system as recited in the combination of claim 7, is submitted to be clearly patentable over the references of record.

SUMMARY AND CONCLUSION

Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so. Applicant has amended various portions of the specification as well as the claims in order to clarify the recitations thereof and to eliminate language informalities. Applicant has also submitted two corrected drawing figures with noted informalities eliminated therefrom.

Applicant has discussed the disclosure of the primary reference cited by the Examiner against the claims of the present application and has pointed out the significant and substantial shortcomings thereof with respect to the recitations of the claims pending herein. Applicant has further discussed the features of Applicant's invention and has noted the deficiencies of the cited reference with respect thereto. Accordingly, Applicant has provided a clear evidentiary basis supporting the patentability of all the claims in the present application and respectfully requests an indication to such effect in due course.

Applicant has further made of record a telephone interview conducted in the present application and has thanked the Examiner for his courtesy with respect thereto.

Applicant has submitted several new claims and with respect thereto, has provided a basis for the patentability thereof.

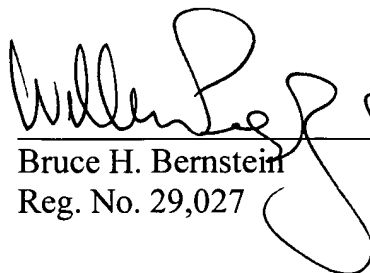
The amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.



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Should the Examiner have any questions or comments regarding this Amendment, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
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